

REMARKS

The Examiner rejected claims 1-22 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As to claim 13, the Examiner argues that the specification stating that "[t]he invention may also be embodied in a carrier wave traveling over an appropriate medium such as airwaves, optical line, electric lines, etc." causes the claim to be non-statutory subject matter. Applicant respectfully disagrees. Claim 13 is directed to a machine-readable medium. Applicant does not believe the sentence above from the specification applies to machine-readable medium. Notably, the sentence is distinct from a prior sentence that describes examples of machine-readable media. The Examiner is therefore incorrectly broadening the scope of the claim beyond what the specification has defined as machine-readable media. The sentence in question merely refers to other, unclaimed embodiments. Nevertheless, to avoid confusion, the Applicant has deleted this sentence from the specification. As such, Applicant submits that claim 13 is statutory subject matter.

As to claims 14-16, the independent claim being statutory subject matter, the dependent claims are also statutory subject matter.

The Examiner also rejects claims 1-12 and 17-22 as being non-statutory. Applicant is unable to understand from the Office Action, however, the basis upon which a claim to a firewall having a processor, which is clearly hardware, could be considered to be non-statutory subject matter. The examiner states that the firewall implements claim 13. However, these are separate claims and a separate analysis for statutory subject matter is required. As such, Applicant respectfully submits that there is no basis for the Examiner's arguments that these claims are non-statutory.

The Examiner rejected claims 1-22 under 35 U.S.C. 103(a) as being unpatentable over Slemmer (U.S. 6,240,533 B1), and further in view of Maufer et al. (U.S. 7,143,188 B2). Specifically, the Examiner repeats his previous argument that "the features upon which applicant relies (i.e., discloses a single device that both bridges are routes incoming packets) are not recited in the rejected claim(s). The Examiner, however, has apparently missed the amendments made in Amendment B, as these amendments make clear that it is a single device that performs both functions.

Specifically, claim 1 now indicates that "a processor" performs both the steps to "determine that a first portion of the incoming packets should be bridged" and "determine that a second portion of the incoming packets should be routed". The "a" in that element clearly indicates that it is a single processor that performs both functions.

Claim 8 now indicates that there are "means for determining, at the first device, that the packets should be bridged" and "means for determining, at the first device, that the second packets should be routed." Hence, both elements are clearly stated as being located at a single device.

Claims 9 and 13 also include the "at the first device" language, making expressly clear that both elements are located or performed at a single device.

For the above reasons, Applicant respectfully submits that the claims are in condition for allowance.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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